



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: May 5, 2006
Comment Deadline: June 5, 2006
Corps Action ID #:1998-02180
TIP Project No. R2812

The Wilmington District, Corps of Engineers (Corps) has received an application from the **North Carolina Department of Transportation (NCDOT)** seeking Department of the Army authorization to **discharge dredged or fill material into waters of the United States** associated with **construction of NC 211 from NC 73 at West End to the traffic circle in Pinehurst, Moore County, North Carolina.**

Specific plans and location information are described below and shown on the attached plans. This Public Notice with all attached plans and more detailed colored plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: North Carolina Department of Transportation (NCDOT)
c/o Dr. Gregory J. Thorpe, PhD, Manager
Project Development and Environmental Analysis Branch
1548 Mail Service Center
Raleigh, North Carolina, 27699-1548

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures under Section 404 of the Clean Water Act (33 U.S.C. 1344). In order to more fully integrate Section 404 permit requirements with the National Environmental Policy Act of 1969, and to give careful consideration to our required public interest review and 404(b)(1) compliance determination, the Corps is soliciting public comment on the merits of this proposal and on the alternatives evaluated in the NCDOT/Federal Highway Administration (FHWA) Environmental Assessment (EA). At the close of this comment period, the District Commander will evaluate and consider the comments received as well as the expected adverse and beneficial effects of the proposed road construction to select the least environmentally damaging practicable alternative (LEDPA). The District Commander is not authorizing widening of NC 211 at this time. A final Department of the Army permit could be issued, if at all, only after our review process is complete, impacts to the aquatic environment have been minimized to the maximum extent practicable and a compensatory mitigation plan for unavoidable impacts has been approved.

Location

The proposed 7.2 mile roadway project is located beginning at NC 73 at West End, northwest of Pinehurst and ends at the traffic circle at US 15 in Pinehurst in Moore County, North Carolina. The proposed project is located in adjacent wetlands and tributaries that are hydrologically connected to the Cape Fear River. The project is more specifically located starting at Latitude 35.2368 N, Longitude 79.5679 W and ending at Latitude 35.2016, Longitude 79.4505.

Background

On November 2, 2005, the NCDOT/FHWA completed and circulated for public review an Environmental Assessment (EA) for the proposed NC 211, TIP R-2812 project, State Project Number 8.1560601. The social, economic, and environmental impacts associated with the No-build and a build alternative, identified as the Best Fit Alternative, for R-2812 have been described in the above referenced environmental document. The Best Fit Alternative incorporates asymmetrical widening along the existing alignment of NC 211 to minimize impacts to the human and natural environments. NC 211 is identified as a major thoroughfare in the Southern Pines Aberdeen Pinehurst Thoroughfare Plan. The proposed project is federally funded and included in NCDOT's latest approved Transportation Improvement Program (TIP). Right-of-way acquisition is scheduled in the federal fiscal year 2007 and construction is scheduled to begin in federal fiscal year 2009. The estimated cost of right of way acquisition and construction for the proposed project is \$26,648,000.

The NCDOT/FHWA EA for R-2812 is available for review at the Wilmington Regulatory Field Office of the Wilmington District U.S. Army Corps of Engineers, 69 Darlington Avenue, Wilmington, North Carolina, or at the North Carolina Department of Transportation, Project Development and Environmental Analysis Branch, Transportation Building, 1 South Wilmington Street, Raleigh, North Carolina.

Applicant's Stated Purpose

The purpose of the proposed highway is to improve the level of safety along NC 211 and the traffic carrying capacity of the roadway to meet the needs of existing and anticipated development in the project area.

Existing Site Conditions

The project is located within the Sandhills portion of the Coastal Plain Physiographic Province in the Cape Fear River subbasin 03-06-14, USGS 8-digit hydrological unit 03030003. There are three streams crossed by NC 211 within the project area. These streams are Joe's Fork, an unnamed tributary to Joe's Fork and Broad Branch, also known as McLeod Branch. The unnamed tributary and Broad Branch connect with Joe's Fork which then flows into Nicks Creek which joins the Little River, and eventually connects with the Cape Fear River, a navigable waterway. The three streams within the project area carry the NC Division of Water Quality (NCDWQ) best usage classification of WS III which refers

to those waters protected as water supplies that are generally in low to moderately developed watersheds.

There are four wetland areas found within the project study area. Three of the four wetlands are located adjacent to small streams and are classified as streamhead pocosin. One wetland is associated with a pond created by damming Joe's Fork.

The Biotic resources surrounding the eastern half of the project area is indicative of an urban setting, with golf courses and residential development accounting for the majority of land uses. The western half of the project area is more rural in nature with pine forests, pine plantations, agricultural fields and scattered residential and commercial development occurring. Topography is characterized as slightly rolling to nearly level terrain. Elevations range from approximately 470 to 560 feet above mean sea level (MSL). Five dominant communities have been identified within the project area. They consist of maintained/disturbed, Pine/scrub oak sandhill, mixed pine/hardwood forest, xeric sandhill scrub, and streamhead pocosin/coastal plain small stream swamp (variant) blackwater subtype.

Project Description

The following description of the work is taken from data provided by the applicant. Two broad range alternatives are being considered for the proposed project. These alternatives include the No-build Alternative and the Build Alternative. The No-build Alternative would not increase traffic carrying capacity or correct existing roadway deficiencies along NC 211. The proposed Build Alternative (Best Fit Alternative) would widen NC 211 from the intersection with NC 73 at West End to the traffic circle in Pinehurst, a total of 7.2 miles. The proposed widening would be asymmetrical, either to the north or south of the existing roadway depending on engineering considerations as well as human and natural environmental constraints. From the western end of the project at NC 73 to the intersection of SR 1004 (Hoffman Road) the proposed widening would be to the north, a distance of approximately 4450 feet. East of SR 1004, the widening transitions back to a symmetrical widening for approximately 1850 feet. From this point to the intersection at NC 5, the widening of NC 211 transitions between north side widening and south side widening to minimize impacts to existing properties, wetlands, and streams. From the NC 5 intersection the project proposes to widen NC 211 symmetrically to the intersection of SR 1208 (Page Road). From SR 1208 to the eastern project terminus at the traffic circle in Pinehurst, the project proposes north side widening to minimize impacts to existing residential properties located on the south side, immediately adjacent to NC 211. The project will also include a pedestrian tunnel, located at the intersection of NC 211 and Rattlesnake/Gun Club Road, and pedestrian sidewalks on both sides of NC 211 from just west of NC 5 to the traffic circle in Pinehurst.

Two typical section alternatives are being considered for the project. The typical sections include a four-lane median divided facility with curb and gutter, and a four-lane median divided facility with grass shoulders. The curb and gutter alternative will require approximately 100 feet of right-of-way, whereas the grass shoulder alternative will require

approximately 150 feet of right-of-way. Table 1 contains a summary of the quantifiable impacts associated with the proposed alternatives.

Table 1. Summary of Impacts

Category	Curb and Gutter (Alt. #1)	Grass Shoulder (Alt. #2)
Length	7.2 Miles	7.2 Miles
Wetlands	1.00 acre**	1.12 acre**
Stream	353 feet**	399 feet**
Noise Receptors	14	14
Hazardous Material Sites	14	14
Prime Agricultural Lands	0	0
Forest	12.2 acre	8.1 acre
Protected Species	1	1
Historic Properties	0	0
4(f) Properties	0	0
Churches	0	0
Schools	0	0
E.J. Communities	0	0
Air Quality	No	No
Critical Water Supplies	No	No
Relocations (Residents)	13	14
Relocations (Businesses)	1	3

** Denotes a revision of the wetland and stream impacts since the completion of the environmental assessment. The revisions are a result of reviewing the latest proposed "curb and gutter" and "grass shoulder" section design.

The project is located in the Cape Fear River Basins (Hydrologic Unit 03030003). Waters of the United States, including wetlands will be impacted by the proposed project. The streams that may be impacted by the proposed project are Joe's Fork, Board Branch and an unnamed tributary to Joe's Fork. There are four proposed wetland crossings and three proposed stream crossings associated with the proposed project. The applicant proposes to utilize the North Carolina Ecosystem Enhancement Program (EEP) to provide the necessary compensatory mitigation for the unavoidable wetland and stream impacts associated with this project.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The application for a Section 401 certification will be submitted to the NCDWQ after the LEDPA has been chosen and the final design plans are available. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Transportation Permitting Unit, 1650 Mail Service Center, Raleigh, North Carolina 27699-1650, Attention: Mr. John Hennessy by May 30, 2006.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. However, there are two properties (The Yadkin Road Marker #1 and #2) that are located within the project area that have been determined as eligible for listing in the National Register of Historic Places. Both of these markers are located outside of the proposed project right-of-way and are not anticipated to be impacted by the project. There are no known archeological sites within the proposed project area. However, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

NCDOT has conducted surveys along the proposed project corridors to identify suitable or critical habitat for species listed as federally endangered or threatened pursuant to the Endangered Species Act of 1973. Based on information provided by NCDOT, the Corps of Engineers has determined that the proposed project would have no effect on three of the listed species known to occur within Moore County. These species are the Cape Fear Shiner, *Notropis mekistocholas*; Michaux's sumac, *Rhus michauxii*; and American chaffseed, *Schwalbea americana*. However, it has been determined that the proposed project may affect the Red-cockaded woodpecker (RCW), *Picoides borealis*, a federally listed endangered species. The U.S. Fish and Wildlife Service, in a letter dated August 25, 2004, concurred with the NCDOT biological conclusions that the proposed highway project may affect, but is not likely to adversely affect the RCW. The District Engineer, based on available information, is not aware that the proposed activity will affect any other species not listed above, or their critical habitat, designated as endangered or threatened pursuant to the Endangered Species Act of 1973.

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That

decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity and to determine the LEDPA for the project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, June 5, 2006. Comments should be submitted to Mr. Richard K. Spencer, Wilmington Regulatory Field Office, P.O. Box 1890, Wilmington, North Carolina 28402-1890.

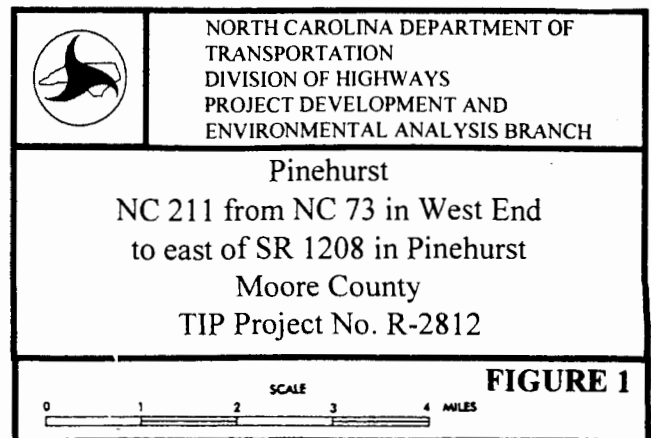
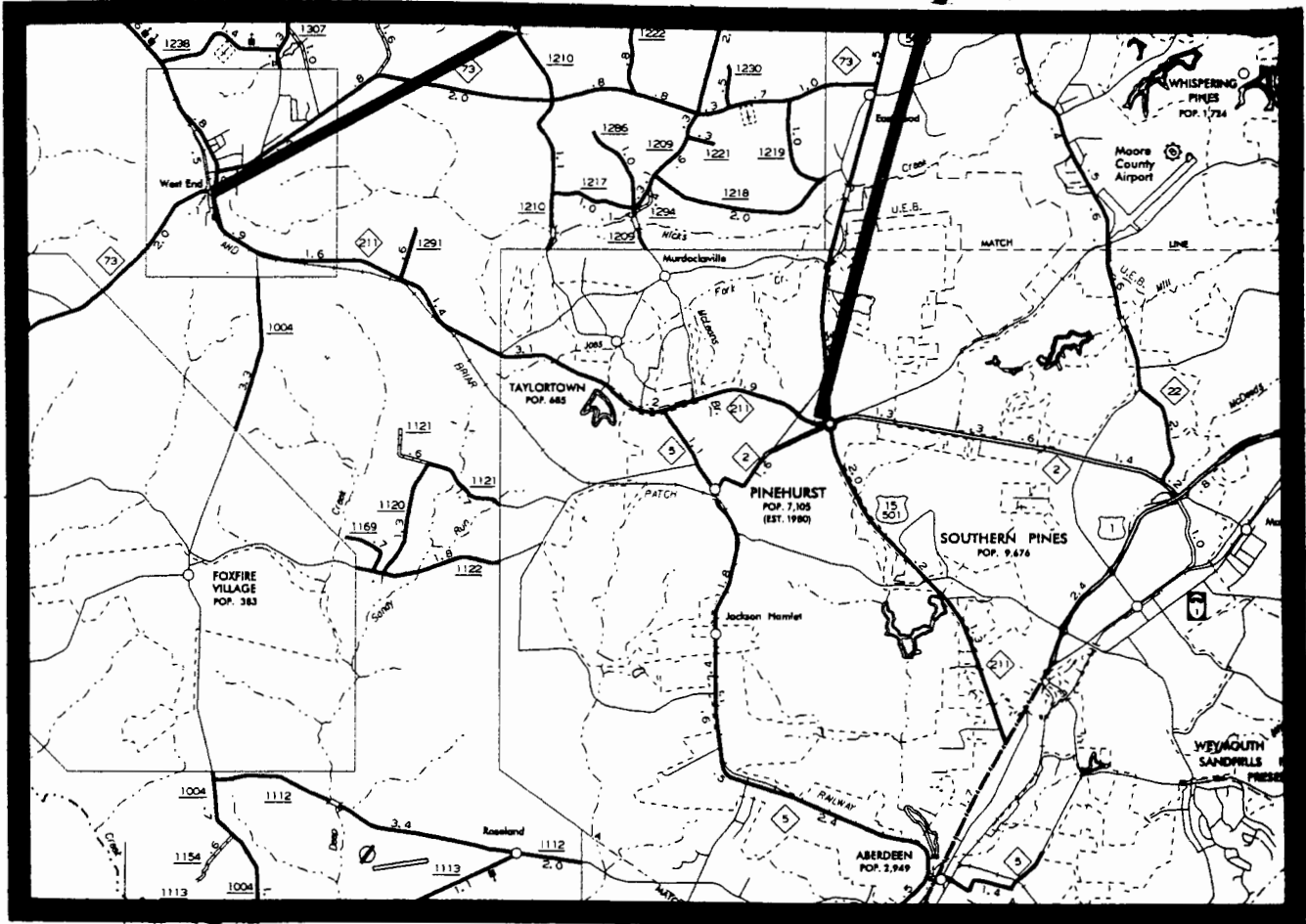
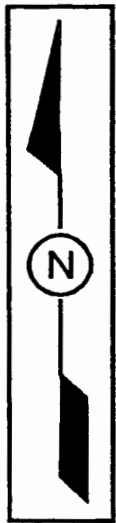
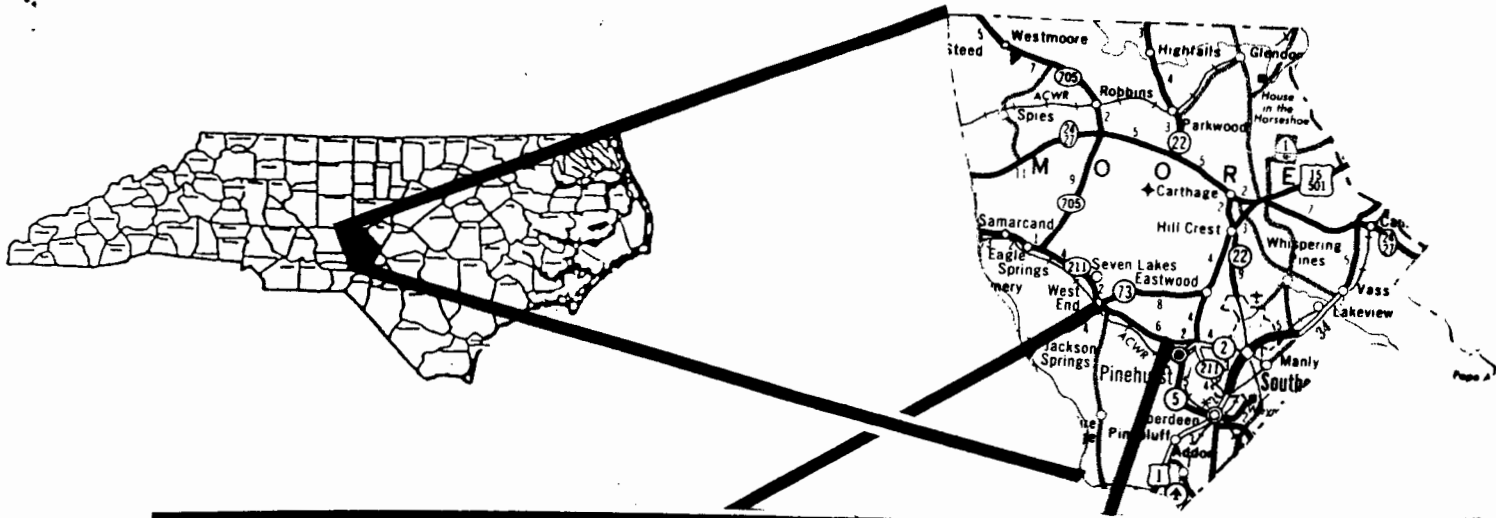
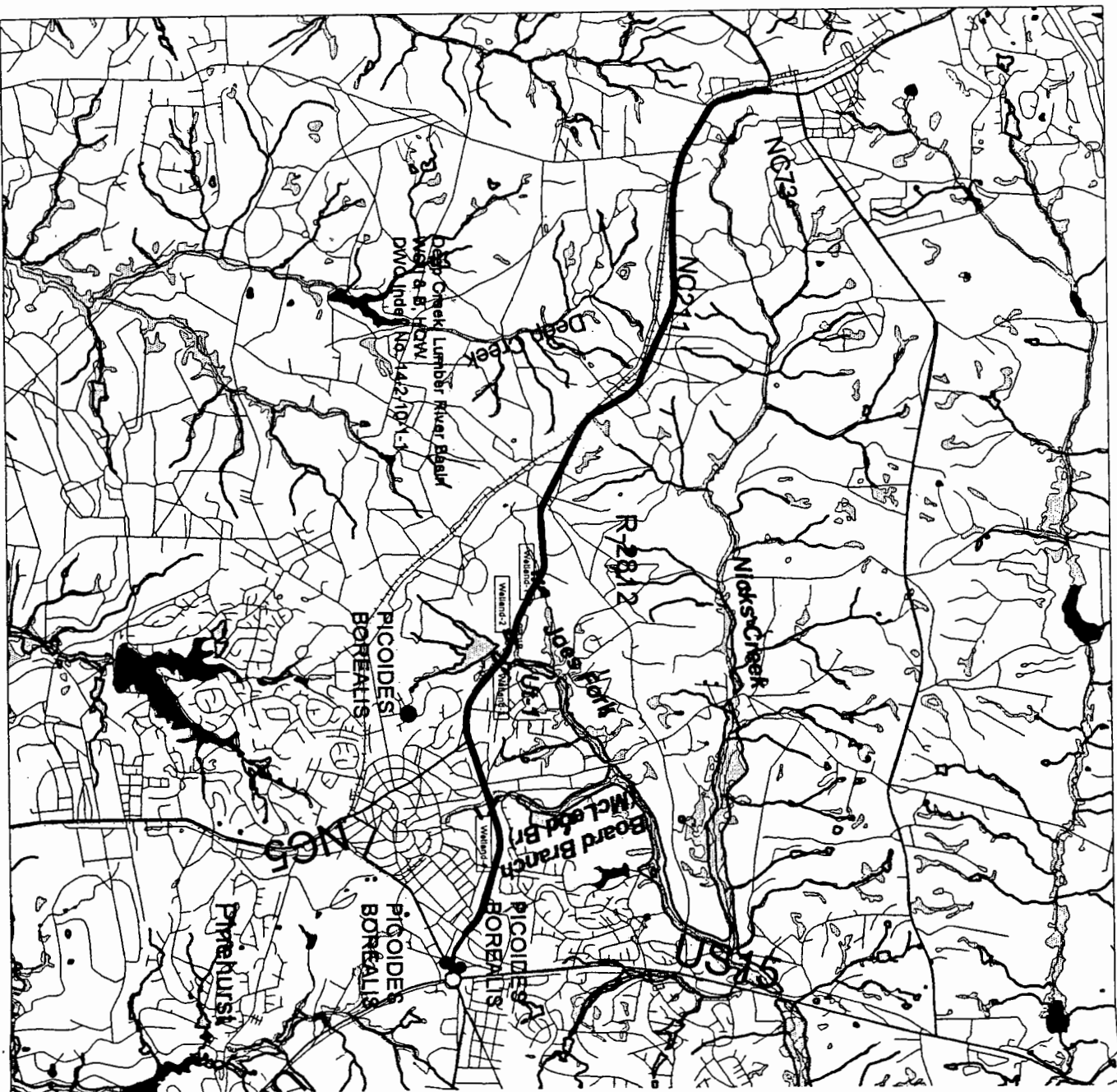
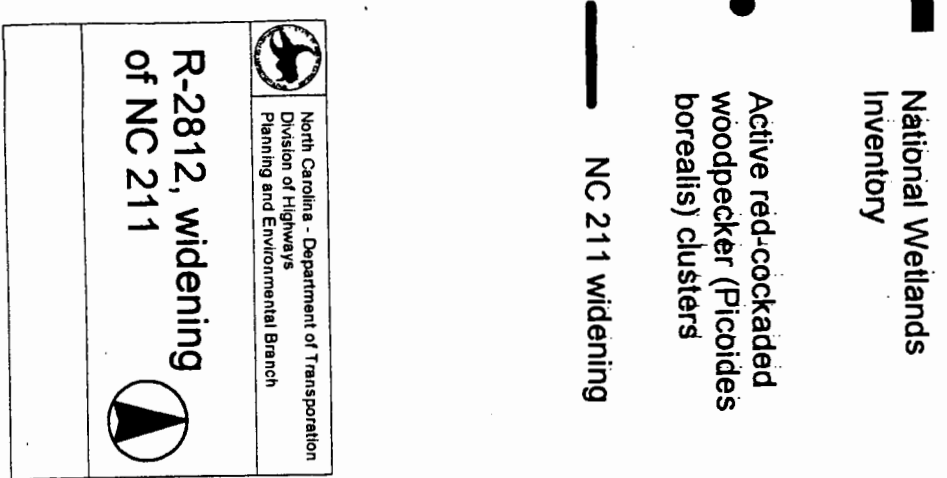


FIGURE 1

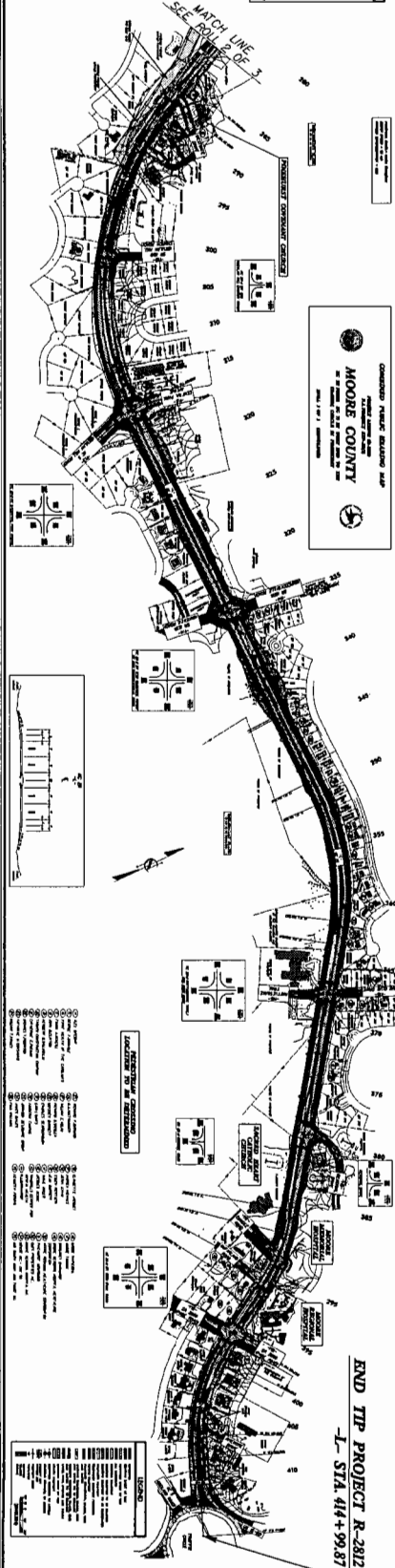
Figure 2. Location of Wetlands, Streams and Red-Cockaded Woodpeckers for R-2812



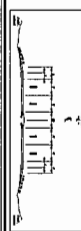


LEGEND

1" = 100'	Proposed Right of Way
1" = 100'	Proposed Roadway
1" = 100'	Proposed Shoulder
1" = 100'	Proposed Median
1" = 100'	Proposed Drainage
1" = 100'	Proposed Bridge
1" = 100'	Proposed Culvert
1" = 100'	Proposed Structure
1" = 100'	Proposed Building
1" = 100'	Proposed Lot
1" = 100'	Proposed Easement
1" = 100'	Proposed Right of Way



COMBINED PUBLIC RECORDS MAP
 PROJECT LINES SHOWN
 AS PROPOSED IMPROVEMENTS
 MOORE COUNTY
 NORTH CAROLINA
 SCALE 1" = 100' 1" = 100'



LEGEND

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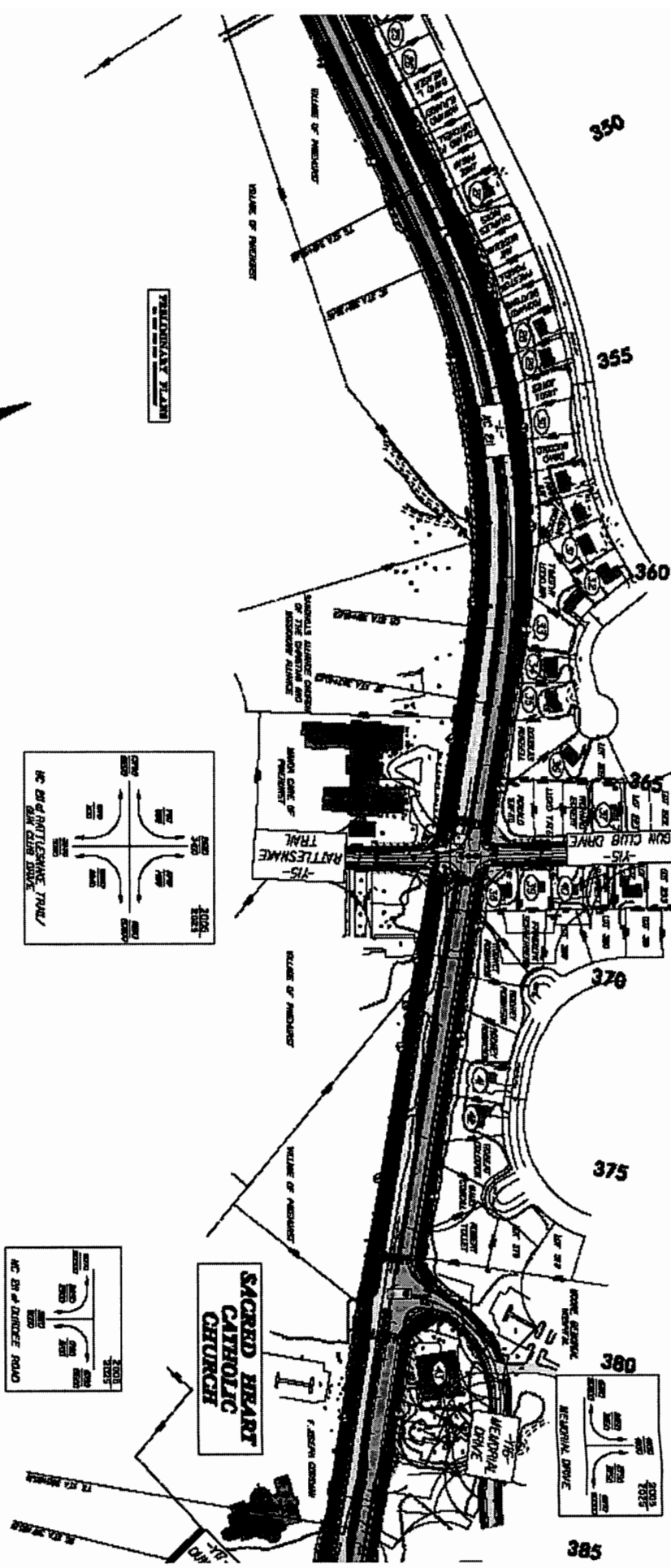
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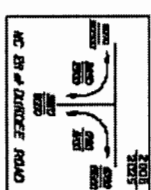
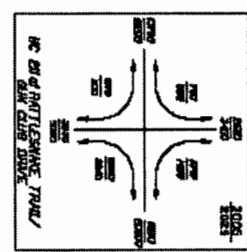
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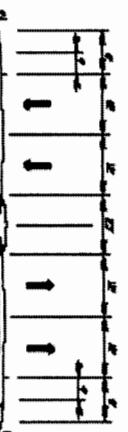


TEMPORARY PLANNING



**PEDESTRIAN CROSSING
LOCATION TO BE DETERMINED**

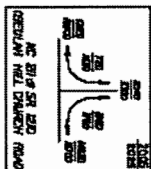
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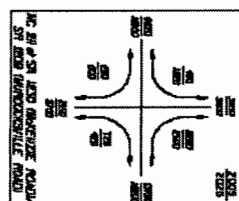
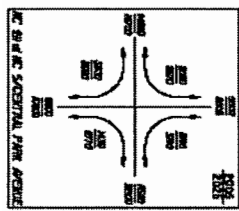
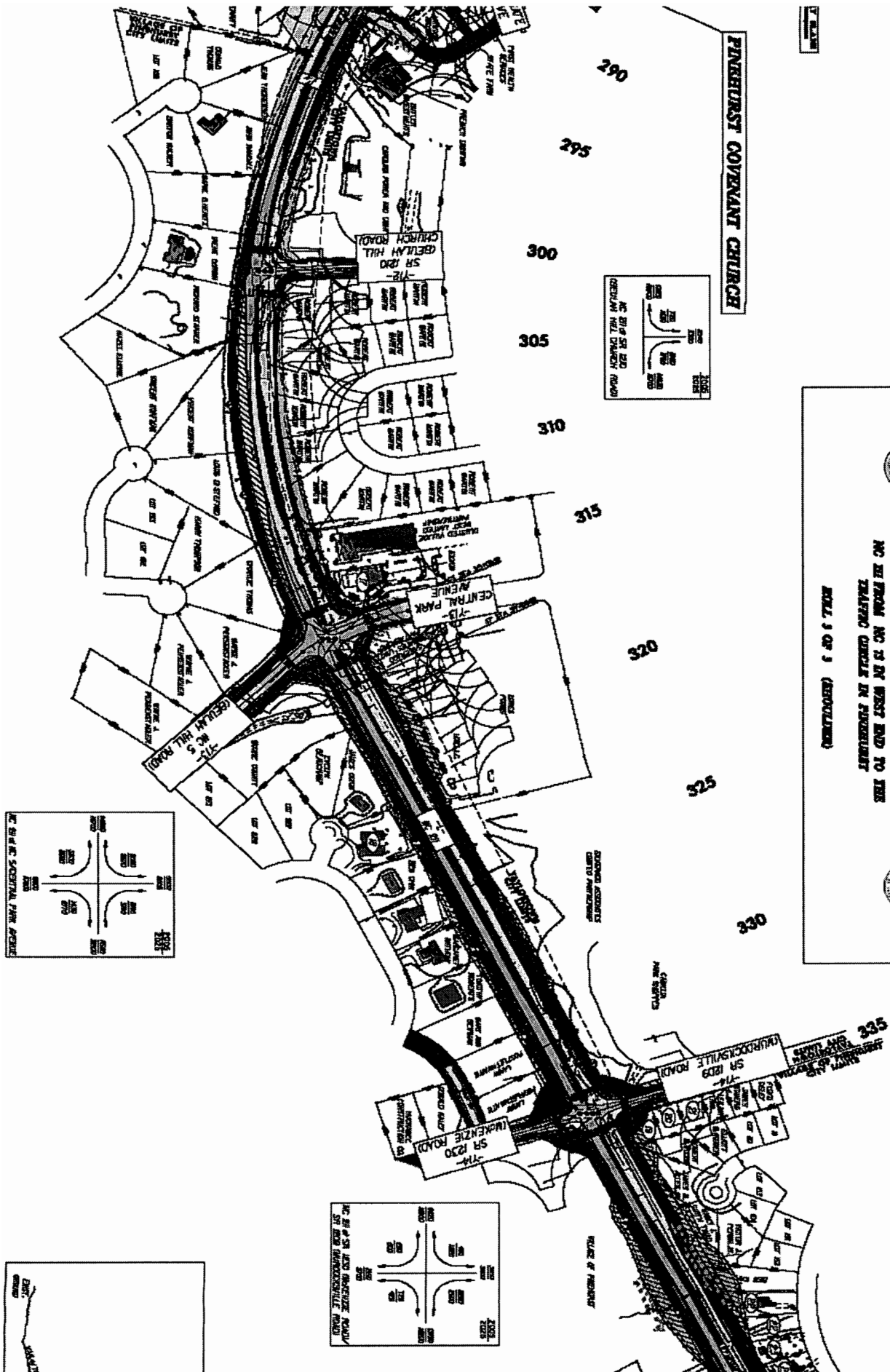
- (1) NEX STREET
- (2) GEORGE P. BOWMAN
- (3) FIRST HEATH OF THE COWBOYS
- (4) FRANK ANDRELL
- (5) JOHN B. CLAYTON
- (6) HERBERT D. WILLIAMS, JR.
- (7) THOMAS CONSTRUCTION COMPANY
- (8) CATHERINE E. PATMAN
- (9) MICHAEL T. JOHNSON
- (10) LATHROP R. COUSLAND
- (11) WILLIAM T. KIRBY
- (12) RICHARD F. BARBER
- (13) CALHOUN
- (14) WILLIAM E. ROLAN
- (15) MICHAEL D. SIEGEL
- (16) WILSON BARNETT
- (17) CHARLES SCARBOROUGH
- (18) CARL WATTS
- (19) KENNETH CARTER
- (20) JOHNSON DELAWARE GROUP
- (21) JAMES GALES
- (22) PAUL WILLIAMS
- (23) CLAUDETTE JACQUE
- (24) ANDREA WELSH
- (25) JOHN EMM
- (26) ELLER HERTLEIN
- (27) JEAN BARRETT
- (28) MADE BULEY
- (29) JACQUES LEBLE
- (30) SANDWICH CENTER FOR
- (31) MICHAEL HEATH
- (32) KENNETH FENNS

MOORE COUNTY

NOTES (continued)

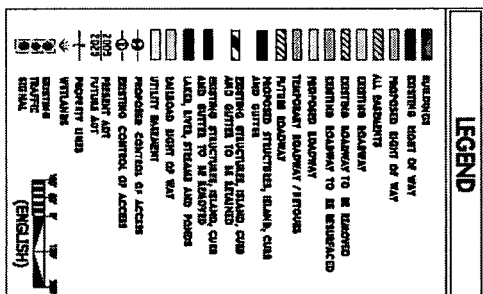


PINEHURST COVENANT CHURCH



East. 1000 ft.

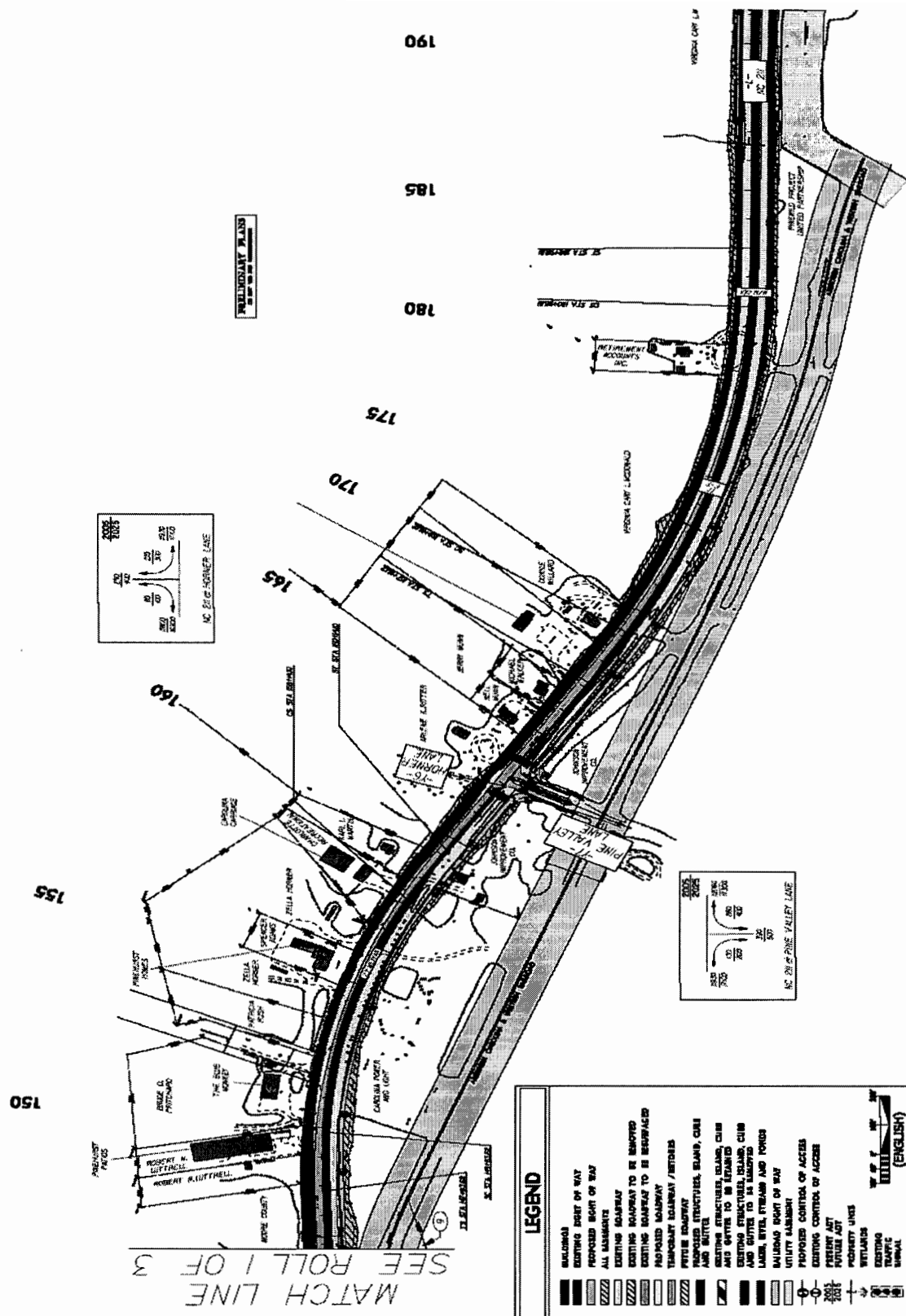




NC 211 FROM NC 75 IN WEST END TO THE
TRAFFIC CIRCLE IN PINEHURST

ROLL 2 OF 3 (CURB AND GUTTER)

158

**ROLL 2 OF 3 (CURB AND GUTTER)**



BEGIN TIP PROJECT R-2812
-L- STA. 10+00.00

-L- STA. 10+00.00

**ROLL 1 OF 3 (SHOULDER)**

PROJECT 81366691 (A-2812)
F.A. PROJECT STP-2H(5)



MOORE COUNTY

**NC 21 FROM NC 73 IN WEST END TO THE
TRAFFIC CIRCLE IN FINEHURST**

EXHIBIT 1 OF 3 (SEVENTEENS)

FUNCTIONAL CLASS. = MAJOR COLLECTOR
DESIGN SPEED = 50 mph
MAXIMUM SUPERELEVATION = 0.08

- 1 STANLEY FURNITURE COMPANY
- 2 FRANK MCNEILL
- 3 MARY BENJAMIN
- 4 GERALDINE JENKINS
- 5 JOHN W. WARNER, II
- 6 REECE GRAHAM
- 7 JAMES RICHARD VON CANNON
- 8 J. HARRISON ATKINS

